

AMENDED IN SENATE AUGUST 21, 2003

AMENDED IN SENATE JUNE 24, 2003

AMENDED IN ASSEMBLY MAY 14, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1090

Introduced by Assembly Member Longville

February 20, 2003

An act to amend, repeal, and add Section 40420 of the Health and Safety Code, relating to air quality, ~~and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1090, as amended, Longville. South Coast Air Quality Management District: membership.

Existing law sets forth the requirements for membership on the South Coast Air Quality Management District governing board. One of those requirements is that all members shall be residents of the district.

This bill would except from that requirement, until January 1, 2006, the member appointed by the San Bernardino County Board of Supervisors.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: ~~2/3~~ ²/₃ majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 40420 of the Health and Safety Code is amended to read:

40420. (a) The south coast district shall be governed by a district board consisting of 12 members appointed as follows:

(1) One member appointed by the Governor, with the advice and consent of the Senate.

(2) One member appointed by the Senate Committee on Rules.

(3) One member appointed by the Speaker of the Assembly.

(4) Four members appointed by the boards of supervisors of the counties in the south coast district. Each board of supervisors shall appoint one of these members, who shall be one of the following:

(A) A member of the board of supervisors of the county making the appointment.

(B) A mayor or member of a city council from a city in the portion of the county making the appointment that is included in the south coast district.

(5) Three members appointed by cities in the south coast district. The city selection committee of Orange, Riverside, and San Bernardino Counties shall each appoint one of these members, who shall be either a mayor or a member of the city council of a city in the portion of the county included in the south coast district.

(6) A member appointed by the cities of the western region of Los Angeles County, consisting of the Cities of Agoura Hills, Avalon, Beverly Hills, Carson, Compton, Culver City, El Segundo, Gardena, Hawthorne, Hermosa Beach, Hidden Hills, Inglewood, Lawndale, Lomita, Los Angeles, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Torrance, West Hollywood, and Westlake Village. These cities shall organize as a city selection committee for the purposes of subdivision (f). The member appointed shall be either a mayor or a member of the city council of a city in the western region.

(7) A member appointed by the cities of the eastern region of Los Angeles County, consisting of the cities in Los Angeles County that are not listed in paragraph (6). These cities shall organize as a city selection committee for the purposes of subdivision (f). The member appointed shall be either a mayor or a member of the city council of a city in the eastern region.

1 (b) All members shall be appointed on the basis of their
2 demonstrated interest and proven ability in the field of air
3 pollution control and their understanding of the needs of the
4 general public in connection with air pollution problems of the
5 South Coast Air Basin.

6 (c) The member appointed by the Governor shall be either a
7 physician who has training and experience in the health effects of
8 air pollution, an environmental engineer, a chemist, a
9 meteorologist, or a specialist in air pollution control.

10 (d) Each member shall be appointed on the basis of his or her
11 ability to attend substantially all meetings of the south coast
12 district board, to discharge all duties and responsibilities of a
13 member of the south coast district board on a regular basis, and to
14 participate actively in the affairs of the south coast district. No
15 member may designate an alternate for any purpose or otherwise
16 be represented by another in his or her capacity as a member of the
17 south coast district board.

18 (e) Each appointment by a board of supervisors shall be
19 considered and acted on at a duly noticed, regularly scheduled
20 hearing of the board of supervisors, which shall provide an
21 opportunity for testimony on the qualifications of the candidates
22 for appointment.

23 (f) The appointments by cities in the south coast district shall
24 be considered and acted on at a duly noticed meeting of the city
25 selection committee, which shall meet in a government building
26 and provide an opportunity for testimony on the qualifications of
27 the candidates for appointment. Each appointment shall be made
28 by not less than a majority of all the cities in the portion of the
29 county included in the south coast district having not less than a
30 majority of the population of all the cities in the portion of the
31 county included in the south coast district. Population shall be
32 determined on the basis of the most recent verifiable census data
33 developed by the Department of Finance. Persons residing in
34 unincorporated areas or areas of a county outside the south coast
35 district shall not be considered for the purposes of this subdivision.

36 (g) The members appointed by the Senate Committee on Rules
37 and the Speaker of the Assembly shall have one or more of the
38 qualifications specified in subdivision (c) or shall be a public
39 member. None of those appointed members may be a locally
40 elected official.

(h) Except for the member appointed by the San Bernardino County Board of Supervisors, all members shall be residents of the district.

(i) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 2. Section 40420 is added to the Health and Safety Code, to read:

40420. (a) The south coast district shall be governed by a district board consisting of 12 members appointed as follows:

(1) One member appointed by the Governor, with the advice and consent of the Senate.

(2) One member appointed by the Senate Committee on Rules.

(3) One member appointed by the Speaker of the Assembly.

(4) Four members appointed by the boards of supervisors of the counties in the south coast district. Each board of supervisors shall appoint one of these members, who shall be one of the following:

(A) A member of the board of supervisors of the county making the appointment.

(B) A mayor or member of a city council from a city in the portion of the county making the appointment that is included in the south coast district.

(5) Three members appointed by cities in the south coast district. The city selection committee of Orange, Riverside, and San Bernardino Counties shall each appoint one of these members, who shall be either a mayor or a member of the city council of a city in the portion of the county included in the south coast district.

(6) A member appointed by the cities of the western region of Los Angeles County, consisting of the Cities of Agoura Hills, Avalon, Beverly Hills, Carson, Compton, Culver City, El Segundo, Gardena, Hawthorne, Hermosa Beach, Hidden Hills, Inglewood, Lawndale, Lomita, Los Angeles, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Torrance, West Hollywood, and Westlake Village. These cities shall organize as a city selection committee for the purposes of subdivision (f). The member appointed shall be either a mayor or a member of the city council of a city in the western region.

(7) A member appointed by the cities of the eastern region of Los Angeles County, consisting of the cities in Los Angeles

1 County that are not listed in paragraph (6). These cities shall
2 organize as a city selection committee for the purposes of
3 subdivision (f). The member appointed shall be either a mayor or
4 a member of the city council of a city in the eastern region.

5 (b) All members shall be appointed on the basis of their
6 demonstrated interest and proven ability in the field of air
7 pollution control and their understanding of the needs of the
8 general public in connection with air pollution problems of the
9 South Coast Air Basin.

10 (c) The member appointed by the Governor shall be either a
11 physician who has training and experience in the health effects of
12 air pollution, an environmental engineer, a chemist, a
13 meteorologist, or a specialist in air pollution control.

14 (d) Each member shall be appointed on the basis of his or her
15 ability to attend substantially all meetings of the south coast
16 district board, to discharge all duties and responsibilities of a
17 member of the south coast district board on a regular basis, and to
18 participate actively in the affairs of the south coast district. No
19 member may designate an alternate for any purpose or otherwise
20 be represented by another in his or her capacity as a member of the
21 south coast district board.

22 (e) Each appointment by a board of supervisors shall be
23 considered and acted on at a duly noticed, regularly scheduled
24 hearing of the board of supervisors, which shall provide an
25 opportunity for testimony on the qualifications of the candidates
26 for appointment.

27 (f) The appointments by cities in the south coast district shall
28 be considered and acted on at a duly noticed meeting of the city
29 selection committee, which shall meet in a government building
30 and provide an opportunity for testimony on the qualifications of
31 the candidates for appointment. Each appointment shall be made
32 by not less than a majority of all the cities in the portion of the
33 county included in the south coast district having not less than a
34 majority of the population of all the cities in the portion of the
35 county included in the south coast district. Population shall be
36 determined on the basis of the most recent verifiable census data
37 developed by the Department of Finance. Persons residing in
38 unincorporated areas or areas of a county outside the south coast
39 district shall not be considered for the purposes of this subdivision.

1 (g) The members appointed by the Senate Committee on Rules
2 and the Speaker of the Assembly shall have one or more of the
3 qualifications specified in subdivision (c) or shall be a public
4 member. None of those appointed members may be a locally
5 elected official.

6 (h) All members shall be residents of the district.

7 (i) This section shall become operative on January 1, 2006.

8 ~~SEC. 3. This act is an urgency statute necessary for the~~
9 ~~immediate preservation of the public peace, health, or safety~~
10 ~~within the meaning of Article IV of the Constitution and shall go~~
11 ~~into immediate effect. The facts constituting the necessity are:~~

12 ~~In order to ensure adequate representation of the people of San~~
13 ~~Bernardino on the South Coast Air Quality Management District~~
14 ~~governing board, it is necessary for this act to take effect~~
15 ~~immediately.~~

